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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In Re Application of:

Brian Froehler, et al.

Confirmation No.: 3496

Application No.: 10/024,818

Group Art Unit: 1637

Filing Date: December 18, 2001

Examiner: Jeffrey Norman Fredman

For: Enhanced Triple-Helix And Double-Helix Formation With Oligomers  
Containing Modified PyrimidinesTERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OF A PENDING SECOND APPLICATION

The owner, ISIS Pharmaceuticals, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/294,203, filed on November 14, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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